UNITED STATES DISTRICT COURT EASTERN DISTRICT OF TENNESSEE AT GREENEVILLE

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) No. 2:21-CV-078-DCLC-CRW
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MEMORANDUM OPINION

The Court is in receipt of a prisoner's pro se petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2254 in which Petitioner, a prisoner of the Tennessee Department of Correction housed in the Northeast Correctional Complex ("NECX"), seeks habeas corpus relief from a conviction for second-degree murder in Davidson County, Tennessee [Doc. 1 p. 1]. For the reasons set forth below, this petition will be **TRANSFERRED** to the United States District Court for the Middle District of Tennessee at Nashville.

Under 28 U.S.C. § 2241(d), a petitioner may file a habeas corpus petition in the district where his judgment was entered or in the district where he is incarcerated. Also, a court may transfer a case to another district "in the interest of justice." 28 U.S.C. § 1406(a).

While Petitioner is currently incarcerated in NECX, which is located within this District, his petition challenges a conviction in Davidson County, Tennessee [Id.], which lies within the Nashville Division of the United States District Court for the Middle District of Tennessee. 28 U.S.C. § 123(b)(1). Thus, venue for this § 2254 petition is proper both in this District and in the Middle District of Tennessee. However, a petitioner's place of confinement may change, while the location of the entry of his judgment of conviction will remain constant. Accordingly, the

consistent practice in the Tennessee federal courts is to transfer habeas petitions to the district in which the convicting court is located.

For these reasons, the Clerk will be **DIRECTED** to transfer this action to the Nashville Division of the United States District Court for the Middle District of Tennessee and to close this Court's file.

AN APPROPRIATE JUDGMENT ORDER WILL ENTER.

ENTER:

s/Clifton L. Corker

United State District Judge